

REMARKS

By this Amendment, claims 1 and 9 are amended, and new claims 10-14 are added. Accordingly, claims 1-14 are pending in this application. No new matter is presented in this Amendment. Reconsideration of the application is respectfully requested.

The Office Action rejects claim 1 under 35 U.S.C. §102(e) over U.S. Patent No. 6,792,296 to Van Bosch. This rejection is respectfully traversed.

Independent claim 1 has been amended to recite, *inter alia*, an emergency report terminal device comprising control means for transmitting a phone number of a cellular phone not in communication with the emergency reporting terminal device to said emergency report center when data is transmitted by said built-in wireless communication means. Van Bosch does not disclose, teach or suggest this feature.

Van Bosch only discloses, at column 13, lines 13-59, a portable wireless communication device 22 physically connected to a vehicle that may include an electrically connected cellular transceiver 50. Nowhere does Van Bosch disclose, teach or suggest a cellular phone not in electrical communication with an emergency report terminal, as recited in independent claim 1.

Furthermore, if one were to accept the Office Action assertion, at page 2, paragraph 2, that Van Bosch's referenced device 20 discloses the emergency report terminal recited in claim 1, then Van Bosch's microprocessor 52 must be viewed as the Applicants' control means for transmitting a phone number of a cellular phone to an emergency report center. However, microprocessor 52 is within the portable wireless communications device 22 (*see* Van Bosch, column 7, line 57 through column 8, line 18), and unlike Van Bosch, the Applicants' control means is recited as being within the vehicle mounted terminal device, not the cellular phone. Indeed, Van Bosch "portable" wireless device 22 is not portable at all, being required to be connected to the vehicle 20 at all times. In no disclosed

embodiment is wireless communications device 22 not in communication with vehicle 20.

Were the Office Action to assert that the combination of vehicle 20 and portable wireless communication device 22 discloses the claimed emergency report terminal device, Applicants would respectfully submit that, in this case, Van Bosch suggests no other cellular phone whose phone number would, via the emergency report terminal device's control means be transmitted to the emergency reporting center.

Therefore, not only does Van Bosch fail to disclose, teach or suggest each and every limitation recited in claim 1, the disclosure of Van Bosch, taken as a whole, does not suggest Appellants' claimed device. Accordingly, the rejection of claim 1 under 35 U.S.C. §102(e) is improper. Applicants respectfully submit, therefore, that independent claim 1 is patentable over Van Bosch.

The Office Action further rejects claims 2-8 under 35 U.S.C. §103(a) over Van Bosch in view of U.S. Patent No. 6,980,092 to Turnbull et al. ("Turnbull"). This rejection is respectfully traversed.

The Applicants respectfully submit that, notwithstanding the assertions of the Office Action that Turnbull remedies any deficiencies of Van Bosch in regards to claims 2-8, Van Bosch fails to disclose all the recited features of claim 1. Similarly, Turnbull only discloses a vehicle rearview mirror assembly that incorporates a communication system and likewise fails to disclose, teach or suggest control means for transmitting a phone number of a cellular phone to the emergency report center, wherein the cellular phone is not connected to the emergency report terminal.

Accordingly, Applicants respectfully submit, that independent claim 1 is patentable over Van Bosch and Turnbull, either alone or in permissible combinations. Claims 2-8 are likewise patentable over the applied art at least based on their dependency on claim 1, as well as for additional features they recite. Withdrawal of the rejection over Van Bosch in view of Turnbull is respectfully requested.

The Office Action further rejects claim 9 based upon arguments similar to those asserted

regarding claims 1 and 3. Applicants respectfully disagree. Similar to claim 1, claim 9 recites control means for transmitting a phone number of a non-emergency report terminal device connected cellular phone possessed by a user in a vehicle to an emergency report center. Claim 9 further recites, wherein the emergency report center uses the phone number of the cellular phone to place a call directly to the user's cellular phone. Similar to the arguments presented above relative to the rejection of claim 1 under 35 U.S.C. §102(e) and claim 2-9 under 35 U.S.C. §103(a), the disclosures of Van Bosch and Turnbull, neither alone nor in permissible combinations, disclose the features of claim 9.

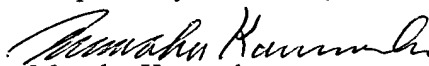
Accordingly, Applicants respectfully submit that claim 9 is likewise patentable over the applied art. Withdrawal of the rejection of claim 9 under 35 U.S.C. §102(e) and 35 U.S.C. §103(a) is respectfully requested.

It is respectfully submitted that new claims 10-14 are patentable over the art of record.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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